IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

WP(C).No. 33282 of 2006(K)

PETITIONER:

M.K.JAYAPALAN, S/O. PADMANABHAN,
AGED 57 YEARS, DRIVER (RETD.)
KSRTC, KOZHIKODE,
THEJUS HOUSE, CHALILPARAMBIL,
MALAPPARAMBA P.O.
KOZHIKODE.

BY ADV. SRI.P.P.SOMAN NAIR

RESPONDENTS:

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1. THE KERALA STATE ROAD TRNASPORT CORPORATIN,
   REPRESENTED BY ITS MANAGING DIRECATOR,
   TRANSPORT BHAVAN, FORT.P.O.
   THIRUVANANTHAPURAM – 23.

2. THE FINANCIAL ADVISOR AND CHIEF ACCOUNTS OFFICER,
   KERALA STATE ROAD TRANSPORT CORPORATIN,
   TRANSPORT BHAVAN, FORT. P.O.
   THIRUVANANTHAPURAM – 23

3. THE ASSISTANT ACCOUNTS OFFICER (PENSION),
   KERALA STATE ROAD TRANSPORT CORPORATION
   TRANSPORT BHAVAN, FORT.P.O.
   THIRUVANANTHAPURAM – 23

4. THE DISTRICT TRANSPORT OFFICER,
   KERALA STATE ROAD TRANSPORT CORPORATION,
   KOZHIKODE.

BY SRI.K.PRABHAKARAN (SC FOR KSRTC)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 33282 of 2006

Dated this 14th day of December, 2006

JUDGMENT

The petitioner retired from the KSRTC only on 31.1.2004 and his turn for getting the terminal benefits as per the guidelines will arise only by the end of 2007 or perhaps by 2008. The petitioner relies on the judgment of this court in W.A. No.1775/2004 which lays down that not withstanding the priorities fixed on the guidelines formulated on the basis of the earlier judgment of the Division Bench in W.A. No.289/2001, out of turn release can be made for meeting urgent genuine domestic necessities like marriages of children. Ext.P2 wedding invitation card supports the petitioner's averment that marriage of his daughter has been fixed to be conducted on 15.1.2007.

2. Considering Ext.P2 and considering the submissions addressed before me by Sri.P.P.Soman Nair, the learned counsel for the petitioner and Sri.K.Prabhakaran, the learned Standing counsel who has taken notice for the respondents, this

writ petition will stand disposed of in the following terms:-

The respondents will release all the amounts payable to the petitioner on account of his DCRG on or before the 11th January 2007.

ww 30520

PIUS C.KURIAKOSE
Judge

dpk